

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LEOPOLDO BARILLAS, et al.,  
Plaintiff(s),

v.

CSAA FIRE & CASUALTY INSURANCE  
COMPANY,  
Defendant(s).

Case No.: 2:20-cv-00829-GMN-NJK

**ORDER**

[Docket No. 10]

Pending before the Court is the parties' proposed discovery plan. Docket No. 10. The discovery plan seeks several extra months for the discovery period so that counsel can concentrate on a backlog of cases they contend was created by pandemic-related restrictions. *Id.* at 2. The most fundamental flaw with this contention is that it appears to be cut-and-pasted from a discovery plan submitted by counsel in another case that was flatly rejected a few weeks ago. *Briseno v. Ortega*, Case No.: 2:20-cv-00680-GMN-NJK, Docket No. 26 (D. Nev. June 17, 2020). Courts do not look kindly on the repetition of a rejected argument without any acknowledgment of the previous order or any explanation why the previous order should not control. *E.g. Atlantis Enters. v. Avon Prods.*, 2010 WL 11519593, at \*3 (C.D. Cal. Jan. 10, 2010) (quoting *United States CFTC v. Lake Shore Asset Mgmt.*, 540 F. Supp. 2d 994, 1015 (N.D. Ill. 2008)). The requested discovery period in this case is rejected for the reasons already provided in *Briseno*.

In addition, despite a previous order identifying the local rules violation to defense counsel, the discovery plan incorrectly calculates the discovery period from the Rule 26(f) conference

1 instead of the date of the answer. *See* Docket No. 10 at 3; *but see Briseno*, Docket No. 26 at 1 &  
2 n.1 (citing Local Rule 26-1(b)(1)).

3 Accordingly, the pending discovery plan is **DENIED**. An amended discovery plan must  
4 be filed by July 28, 2020.

5 IT IS SO ORDERED.

6 Dated: July 22, 2020

7  
8   
9 \_\_\_\_\_  
10 Nancy J. Koppe  
11 United States Magistrate Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28